PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 19, 2015

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JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY FORTY-FIRST SESSION DAY

Senate Chamber Des Moines, Iowa, Thursday, March 19, 2015

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor Marshall Felderman of the First Baptist Church in Russell, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Isabelle Pierotti.

The Journal of Wednesday, March 18, 2015, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mark Schuling, the governor's appointee to be Consumer Advocate. He was the guest of Senators Anderson and Courtney and the committee on Commerce.

The Secretary of the Senate introduced Beth Townsend, the governor's appointee to be Director of Workforce Development. She was the guest of Senator Dotzler and the committee on Labor and Business Relations.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:35 a.m. until 12:00 p.m.

APPENDIX-1

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Thursday, March 19, 2015, 9:40 a.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member;

Courtney, Dearden, Dvorsky, Guth, Ragan, Sodders, and Whitver.

Members Absent: Chapman (excused).

Committee Business: Passed <u>SR 18</u>.

Adjourned: 9:45 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 18, 2015, 2:25 p.m.

Members Present: Danielson, Chair; Courtney, Vice Chair; Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

Members Absent: Bertrand, Ranking Member (excused).

Committee Business: Governor's appointees.

Adjourned: 2:40 p.m.

INTRODUCTION OF BILLS

Senate File 478, by Schultz, Bertrand, Anderson, Behn, Zaun, Segebart, Sinclair, and Feenstra, a bill for an act relating to the definition of person in the context of the victim of the crime of murder, and providing penalties.

Read first time under Rule 28 and referred to committee on ${f Judiciary}.$

Senate File 479, by committee on Ways and Means, a bill for an act concerning the apportionment of certain gross receipts of a broadcaster for purposes of Iowa income tax, and including retroactive applicability provisions.

Read first time under Rule 28 and placed on Ways and Means calendar.

<u>Senate File 480</u>, by committee on Ways and Means, a bill for an act authorizing a city or county to provide a property tax exemption for value added by improvements to residential property that is a public nuisance.

Read first time under Rule 28 and placed on Ways and Means calendar.

SUBCOMMITTEE ASSIGNMENTS

House File 414

VETERANS AFFAIRS: Hart, Chair; Ragan and Segebart

House File 510

HUMAN RESOURCES: Ragan, Chair; Johnson and Mathis

House File 525

AGRICULTURE: Seng, Chair; Kapucian and Taylor

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 479 (SSB 1219), a bill for an act concerning the apportionment of certain gross receipts of a broadcaster for purposes of Iowa income tax, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on <u>Senate File 479</u>, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 480 (formerly SF 278), a bill for an act authorizing a city or county to provide a property tax exemption for value added by improvements to residential property that is a public nuisance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on <u>Senate File 480</u>, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 12:20 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chapman, Chelgren, and Kapucian, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 331, 332, 366, 375, 395, 404, and 410.

Senate File 331

On motion of Senator Danielson, <u>Senate File 331</u>, a bill for an act permitting electronic voter registration and including penalties and effective date provisions, was taken up for consideration.

Senator Dix asked and received unanimous consent to withdraw amendment <u>S-3057</u>, filed by Senator Chelgren on March 18, 2015, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time. On the question "Shall the bill pass?" (S.F. 331), the vote was:

Vone	26.
reas.	20:

Allen Bisignano Bolkcom Bowman Brase Courtney Danielson Nays, 20:	Dearden Dotzler Dvorsky Gronstal Hart Hogg Horn	Jochum Kinney Mathis McCoy Petersen Quirmbach Ragan	Schoenjahn Seng Sodders Taylor Wilhelm
Anderson Behn Breitbach Costello Dix Absent, 4:	Feenstra Garrett Guth Johnson Kraayenbrink	Rozenboom Schneider Schultz Segebart Shipley	Sinclair Smith Whitver Zaun Zumbach
Bertrand	Chapman	Chelgren	Kapucian

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 332

On motion of Senator Petersen, <u>Senate File 332</u>, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and the public solicitation of individuals to fill certain state employment vacancies, was taken up for consideration.

Senator Dix asked and received unanimous consent to withdraw amendment <u>S-3050</u>, filed by Senator Chapman on March 17, 2015, to page 2 of the bill.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332), the vote was:

Vaca	25.
reas.	3 0:

Allen Anderson Bisignano Bolkcom Bowman Brase Breitbach Courtney Danielson	Dearden Dotzler Dvorsky Feenstra Gronstal Hart Hogg Horn Jochum	Kinney Mathis McCoy Petersen Quirmbach Ragan Schneider Schoenjahn Segebart	Seng Sinclair Smith Sodders Taylor Whitver Wilhelm Zaun
Nays, 11:			
Behn Costello Dix	Garrett Guth Johnson	Kraayenbrink Rozenboom Schultz	Shipley Zumbach
Absent, 4:			

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Chelgren

Kapucian

Senate File 366

Bertrand

On motion of Senator Petersen, <u>Senate File 366</u>, a bill for an act relating to the reexamination and recalculation of disability retirement benefits for beneficiaries under the public safety peace officers' retirement, accident, and disability system, was taken up for consideration.

Senator Ragan offered amendment <u>S-3051</u>, filed by her on March 17, 2015, to page 2 and amending the title page of the bill, and moved its adoption.

Amendment S-3051 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 366), the vote was:

Yeas, 46:

Allen	Dix	Kinney	Seng
Anderson	Dotzler	Kraayenbrink	Shipley
Behn	Dvorsky	Mathis	Sinclair
Bisignano	Feenstra	McCoy	Smith
Bolkcom	Garrett	Petersen	Sodders
Bowman	Gronstal	Quirmbach	Taylor
Brase	Guth	Ragan	Whitver
Breitbach	Hart	Rozenboom	Wilhelm
Costello	Hogg	Schneider	Zaun
Courtney	Horn	Schoenjahn	Zumbach
Danielson	Jochum	Schultz	
Dearden	Johnson	Segebart	
Neve none			

Nays, none.

Absent, 4:

Bertrand Chapman Chelgren Kapucian

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 375

On motion of Senator McCoy, <u>Senate File 375</u>, a bill for an act establishing employment protections for employees absent from work due to adoptions and making penalties applicable, was taken up for consideration.

Senator McCoy offered amendment <u>S-3053</u>, filed by him on March 17, 2015, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3053 was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 375), the vote was:

77	27.
reas.	o (:

Allen Anderson Bisignano Bolkcom Bowman Brase Costello Courtney Danielson Dearden	Dotzler Dvorsky Feenstra Garrett Gronstal Hart Hogg Horn Jochum Johnson	Kinney Kraayenbrink Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schoenjahn Seng	Shipley Sinclair Smith Sodders Taylor Wilhelm Zumbach
Nays, 9:			
Behn Breitbach Dix	Guth Schneider Schultz	Segebart Whitver Zaun	
Absent, 4:			

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Chelgren

Kapucian

Senate File 395

Bertrand

On motion of Senator Petersen, <u>Senate File 395</u>, a bill for an act relating to the definition of stalking and making penalties applicable, was taken up for consideration.

Senator Dix asked and received unanimous consent to withdraw amendment $\underline{S-3056}$, filed by Senator Chelgren on March 18, 2015, to page 1 of the bill.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 395), the vote was:

Yeas, 46:

Dix	Kinney	Seng
Dotzler	Kraayenbrink	Shipley
Dvorsky	Mathis	Sinclair
Feenstra	McCoy	Smith
Garrett	Petersen	Sodders
Gronstal	Quirmbach	Taylor
Guth	Ragan	Whitver
Hart	Rozenboom	Wilhelm
Hogg	Schneider	Zaun
Horn	Schoenjahn	Zumbach
Jochum	Schultz	
Johnson	Segebart	
	Dotzler Dvorsky Feenstra Garrett Gronstal Guth Hart Hogg Horn Jochum	Dotzler Kraayenbrink Dvorsky Mathis Feenstra McCoy Garrett Petersen Gronstal Quirmbach Guth Ragan Hart Rozenboom Hogg Schneider Horn Schoenjahn Jochum Schultz

Nays, none.

Absent, 4:

Bertrand Chapman Chelgren Kapucian

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 404

On motion of Senator Hogg, <u>Senate File 404</u>, a bill for an act relating to the certification and regulation of shorthand reporters, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 404), the vote was:

Yeas, 46:

Allen	Dix	Kinney	Seng
Anderson	Dotzler	Kraayenbrink	Shipley
Behn	Dvorsky	Mathis	Sinclair
Bisignano	Feenstra	McCoy	Smith
Bolkcom	Garrett	Petersen	Sodders
Bowman	Gronstal	Quirmbach	Taylor
Brase	Guth	Ragan	Whitver
Breitbach	Hart	Rozenboom	Wilhelm

Costello Hogg Schneider Zaun
Courtney Horn Schoenjahn Zumbach
Danielson Jochum Schultz
Dearden Johnson Segebart

Nays, none.

Absent, 4:

Bertrand Chapman Chelgren Kapucian

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 410

On motion of Senator Taylor, <u>Senate File 410</u>, a bill for an act relating to drug overdose prevention, including by limiting criminal and civil liability, and modifying penalties, was taken up for consideration.

Senator Brase offered amendment <u>S-3055</u>, filed by him on March 18, 2015, to pages 1–3 of the bill, and moved its adoption.

Amendment S-3055 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 410), the vote was:

Yeas, 44:

Allen	Dearden	Jochum	Schultz
Anderson	Dix	Johnson	Segebart
Behn	Dotzler	Kraayenbrink	Seng
Bisignano	Dvorsky	Mathis	Shipley
Bolkcom	Feenstra	McCoy	Sinclair
Bowman	Garrett	Petersen	Smith
Brase	Gronstal	Quirmbach	Taylor
Breitbach	Guth	Ragan	Whitver
Costello	Hart	Rozenboom	Wilhelm
Courtney	Hogg	Schneider	Zaun
Danielson	Horn	Schoenjahn	Zumbach

Nays, 2:

Kinney Sodders

Absent, 4:

Bertrand Chapman Chelgren Kapucian

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that Senate Files 331, 332, 366, 375, 395, 404, and 410 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

House File 3, a bill for an act relating to invasion of privacy, and providing penalties.

Read first time and referred to committee on Judiciary.

<u>House File 6</u>, a bill for an act to expand the criminal offense of and applicability of related penalties for sexual exploitation by a school employee to include all school district employees.

Read first time and referred to committee on **Judiciary**.

<u>House File 283</u>, a bill for an act relating to the time period over which payments are made under the all Iowa opportunity scholarship program.

Read first time and referred to committee on Education.

<u>House File 284</u>, a bill for an act relating to the limitation on the annual amount of an Iowa tuition grant paid to a qualified student.

Read first time and referred to committee on Education.

<u>House File 299</u>, a bill for an act prohibiting the use of agreements concerning private land owners entered into by the loess hills development and conservation authority or the loess hills alliance.

Read first time and referred to committee on **Judiciary**.

<u>House File 346</u>, a bill for an act relating to at-risk, alternative and alternative school, and returning dropout and dropout prevention programs and funding.

Read first time and referred to committee on Education.

<u>House File 503</u>, a bill for an act excluding certain show animals from formulas used to calculate the capacity of animal feeding operations.

Read first time and referred to committee on Agriculture.

House File 529, a bill for an act relating to drainage and levee districts, by providing for mergers, repairs and improvements, and elections.

Read first time and referred to committee on **Local Government**.

<u>House File 544</u>, a bill for an act regarding the use of waste conversion technologies as a waste management practice.

Read first time and referred to committee on Natural Resources and Environment.

House File 563, a bill for an act relating to vehicle recyclers, including the transfer of motor vehicles to vehicle recyclers and compliance with the national motor vehicle title information system, making penalties applicable, and including effective date provisions.

Read first time and attached to similar Senate File 422.

<u>House File 597</u>, a bill for an act relating to the distribution of fines imposed by the automated enforcement of traffic laws.

Read first time and referred to committee on **Transportation**.

ALSO: That the House has on March 19, 2015, **adopted** the following resolution in which the concurrence of the Senate is asked:

<u>House Joint Resolution 8</u>, a joint resolution requesting the proposal of an amendment to the Constitution of the United States imposing fiscal restraints upon and limiting the power and jurisdiction of the federal government.

Read first time and referred to committee on **State Government**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:25 p.m. until 1:00 p.m., Monday, March 23, 2015.

APPENDIX-2

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: Thursday, March 19, 2015, 11:10 a.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees; presentation by Director of the Iowa Department of Human Services, Charles M. Palmer.

Adjourned: 12:15 p.m.

INTRODUCTION OF RESOLUTION

<u>Senate Resolution 19</u>, by Dotzler, Hart, Kapucian, Schneider, and Sodders, a resolution reaffirming Iowa's commitment to its relationship with Taiwan and supporting Taiwan's efforts to participate in the international community.

Read first time under Rule 28 and referred to committee on **Rules** and **Administration**.

SUBCOMMITTEE ASSIGNMENT

Senate File 403

(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Chapman and Dvorsky

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: <u>SENATE RESOLUTION 18</u>, a resolution recognizing and congratulating the Iowa Central Community College wrestling team and program on winning its eighth national title.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Guth,

Ragan, Sodders, and Whitver. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From more than 1,600 Iowa residents urging opposition to <u>SF 425</u>, a bill that would remove Iowa's current background check requirement for handgun sales.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Brandon Arkland – Iowa Autism Council Theresa Croonquist – Iowa Autism Council Erika Hertel – Iowa Autism Council Steven Muller – Iowa Autism Council Jenny Phan – Iowa Autism Council

Katherine Averill – Early Childhood Iowa State Board Michael Bunde – Early Childhood Iowa State Board Terry Harrmann – Early Childhood Iowa State Board Leone Junck – Early Childhood Iowa State Board Robert Ockerman – Early Childhood Iowa State Board Brook Rosenberg – Early Childhood Iowa State Board Jean Stadtlander – Early Childhood Iowa State Board Shaun Ward Taylor – Early Childhood Iowa State Board Betty Zan – Early Childhood Iowa State Board

Dan Dutcher – Board of Educational Examiners Brenda Garcia – Board of Educational Examiners Larry Hill – Board of Educational Examiners

Gretchen Tegeler - School Budget Review Committee

HUMAN RESOURCES

Carole Dunkin – Commission on Aging Betty Grandquist – Commission on Aging

Thomas Green – Board of Athletic Training Rita Perea – Board of Athletic Training Amy Crow Sunleaf – Board of Behavioral Science

Bruce Johnson - Child Advocacy Board

Christopher Atchison – Prevention of Disabilities Policy Council Cheryll Jones – Prevention of Disabilities Policy Council Tracy Keninger – Prevention of Disabilities Policy Council

Amy Skinner - Health Facilities Council

Eric Kohlsdorf – Healthy and Well Kids in Iowa (HAWK-I) Board Kelly Renfrow – Healthy and Well Kids in Iowa (HAWK-I) Board

Phyllis Hansell – Council on Human Services Samuel Wallace – Council on Human Services

Jody Eaton – Mental Health and Disability Services Commission
John Parmeter – Mental Health and Disability Services Commission
Patrick Schmitz – Mental Health and Disability Services Commission
Rebecca Schmitz – Mental Health and Disability Services Commission
Jennifer Sheehan – Mental Health and Disability Services Commission

Tailyn Kaster - Board of Sign Language Interpreters and Transliterators

Chad Jensen - Commission on Tobacco Use Prevention and Control

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Donna Harvey – Director of the Department on Aging

AMENDMENTS FILED

S-3060	S.F.	446	Jeff Danielson
<u>S-3061</u>	S.F.	125	Brian Schoenjahn
			Robert E. Dvorsky
S-3062	S.F.	337	Jeff Danielson